

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, APRIL 22, 2002 AT 2:00 P.M.
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**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, APRIL 22, 2002 AT 2:00 P.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS - 12TH FLOOR
202 "C" STREET
SAN DIEGO, CA 92101**

ITEM-1: ROLL CALL.

ITEM-10: INVOCATION.

ITEM-20: PLEDGE OF ALLEGIANCE.

SPECIAL ORDERS OF BUSINESS

ITEM-30: Approval of Council Minutes.

TODAY'S ACTION IS:

Approval of Council Minutes for the meetings of:

3/18/2002
3/19/2002
3/19/2002 Special Joint Meeting
3/25/2002 Adjourned
3/26/2002 Adjourned

SPECIAL ORDERS OF BUSINESS

ITEM-31: Dr. Cleo Malone Day.

DEPUTY MAYOR STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-2002-1323)

Commending Dr. Cleo Malone for his contributions to the City of San Diego;

Proclaiming April 22, 2002 to be “Dr. Cleo Malone Day” in the City of San Diego.

SPECIAL ORDERS OF BUSINESS

ITEM-32: Take Our Daughters to Work Day.

COUNCILMEMBER FRYE’S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1423)

Encouraging families to use this special day as an opportunity to discuss the events of the day at home with all family members, and proclaiming April 25, 2002 to be “Take Our Daughters to Work Day” in San Diego.

REQUESTS FOR CONTINUANCE

The Council will now consider requests to continue specific items.

CONSENT ITEMS

The following listed items are considered to be routine, and the appropriate Environmental Impact Reports have been considered. These items are indicated on the docket by a preceding asterisk (*).

ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING WITH THE READING AND ADOPTION:

Items 50, 51, 52 and 53.

ORDINANCES TO BE INTRODUCED:

None.

RESOLUTIONS TO BE ADOPTED:

Items 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118 and 119.

ADOPTION AGENDA, CONSENT ITEMS

ORDINANCES TO BE INTRODUCED, READY FOR DISPENSING WITH THE READING AND ADOPTION:

- * ITEM-50: Fairbanks Summit II Rezoning. (RZ-41-0480. Black Mountain Ranch, Subarea 1 Community Area. (District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 4/9/2002. (Council voted 9-0):

(O-2002-118)

Rezoning 10.4 acres, located at the east end of Rancho Santa Fe Farms Drive at Via Abertura, southeast of Via de la Valle, north of Black Mountain Road and directly west of Black Mountain Ranch, in the Black Mountain Ranch Subarea I Plan Area, from the AR-1-1 Zone to the RS-1-11 Zone.

ADOPTION AGENDA, CONSENT ITEMS

ORDINANCES TO BE INTRODUCED, READY FOR DISPENSING WITH THE READING AND ADOPTION:

- * ITEM-51: Two actions related to Point Carmel.

(RZ-99-0606. Carmel Valley Community Area. District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 4/9/2002. (Council voted 9-0):

Subitem-A: (O-2002-119)

Rezoning 31.9 acres, located two miles east of Interstate 5, east of Dunham Way, north of Del Mar Heights Road, south of Lansdale Drive and west of Winstanley Way, in the Carmel Valley Neighborhoods 4A and 7 Precise Plans, from the AR-1-1, SF3 and Open Space zones (previously referred to as the A-1-10, SF3, and Open

Space zones) to the SF1-A and Open Space zones.

Subitem-B: (O-2002-120)

Amending Chapter 10, Article 3, Division 6, of the San Diego Municipal Code by amending Section 103.0602 relating to the Carmel Valley Planned District Regulations, area of applicability.

ADOPTION AGENDA, CONSENT ITEMS

ORDINANCES TO BE INTRODUCED, READY FOR DISPENSING WITH THE READING AND ADOPTION:

- * ITEM-52: Accepting California Coastal Commission Suggested Modifications to Floodplain Regulations Adopted As Part Of The Second Update To The Land Development Code.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 4/9/2002. (Council voted 9-0):

(O-2002-82)

Amending Chapter 6, Article 2, Division 4, of the San Diego Municipal Code by repealing Section 62.0423; Amending Chapter 11, Article 3, Division 1, by amending Section 113.0103; Amending Chapter 12, Article 6, Division 4, by amending Section 126.0402; Division 5, by amending Sections 126.0502 and 126.0504; and Article 9, Division 6, by amending Section 129.0602; Amending Chapter 13, Article 1, Division 2, by amending Section 131.0205; Division 3, by amending Section 131.0322; Amending Chapter 14, Article 2, Division 1, by Amending Section 142.0135; And Division 2, by amending Section 142.0230; Amending Article 3, Division 1, by amending Sections 143.0110, 143.0111, 143.0130, 143.0145, by adding Section 143.0146, and by amending Section 143.0150, all relating to the Land Development Code Floodplain Regulations.

ADOPTION AGENDA, CONSENT ITEMS

ORDINANCES TO BE INTRODUCED, READY FOR DISPENSING WITH THE READING AND ADOPTION:

- ITEM-53: Equipment and Vehicle Financing Program (EVP).

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 4/9/2002. (Council voted 9-0):
(O-2002-117)

Authorizing the City Manager to execute a Master Lease Agreement with the most

responsive and competitive lease provider and the most responsive and competitive backup lease provider for a 5-year lease term for the purpose of financing and refinancing the acquisition of equipment through lease-purchase;

Authorizing the City Manager to execute a Master Lease Agreement with the most responsive and competitive lease provider(s) and backup lease provider(s) for 6 and 7 year lease terms for the purpose of financing the acquisition of equipment through lease-purchase.

NOTE: **6** votes required pursuant to Section 99 of the City Charter.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

* ITEM-100: Just-In Time Office Supplies Contract - Award of Contract.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1290)

Accepting the low bid meeting specifications of Corporate Express and authorizing the City Manager to execute a contract for furnishing office supplies, as may be required for a period of one year beginning April 1, 2002 through March 31, 2003, for a total estimated cost of \$1,700,000, with options to renew for four additional one-year periods.

CITY MANAGER SUPPORTING INFORMATION:

With the County of San Diego as lead agency naming the City of San Diego and other County Agencies as participants, the County of San Diego awarded the Just-In-Time Office Supply Contract to Corporate Express, San Diego Office. The County of San Diego issued the Request for Proposal to 33 vendors to which four vendors replied. After the technical competency evaluation, only three vendors were asked to submit pricing information. Please note that the bid tabulation below reports the total contract cost for all agencies involved in the contract. Therefore, the fiscal impact to the City is lower than the total contract amount.

Bid Tabulation

Vendor Name	Corporate Express	Office Depot	Boise Cascade
Total Bid	\$5,746,208.57	\$6,075,766.33	\$6,952,662.18

As part of the Just-In-Time Office Supply Contract, Corporate Express will train City end users to order office supplies via an Internet Site tailored to the City's requirements. City departments will be able to request and approve an order within a day and receive the order, delivered to their office, by the next business day.

Corporate Express is committed to attracting a diverse work force as outlined in the Workforce Report. Further, the company also has an active outreach program to its suppliers titled "Supplier Diversity Sales Network." In 2001, more than 40% of all suppliers were MBEs/WBEs, supplying 15% of all products offered by Corporate Express. Specifically for this contract, Corporate Express uses 208 suppliers of which 45 are MBEs/WBEs.

General Services/Central Stores will administer the annual requirement contract. City Departments will purchase items on an as-needed basis, pending availability of funds.

FISCAL IMPACT:

For Fiscal Year 2002, the estimated cost of the contract is \$400,000 including tax and payment terms net 30 days. The annual estimated cost amounts to \$1,700,000 including tax and payment terms net 30 days.

Belock/Baldwin/MW

Aud. Cert. 2201004.

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

- * ITEM-101: Two actions related to Inviting Bids and Award of Contracts for Chollas Valley Trunk Sewer Phase II.

(See Frank Belock Jr.'s 3/25/2002 memo. City Heights and Eastern Community Areas. Districts-4 and 7.)

TODAY'S ACTIONS ARE:

Adoption of the following resolutions:

Subitem-A: (R-2002-1020)

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Construction of Chollas Valley Trunk Sewer Phase II, on Work Order No. 172241;

Authorizing the City Manager to establish contract funding phases and to execute a contract with the lowest responsible and reliable bidder;

Authorizing the expenditure of an amount not to exceed \$10,000 in property related costs for CIP-40-910.2, Chollas Valley Trunk Sewer Phase II;

Authorizing the expenditure of an amount not to exceed \$10,484,751 from Sewer Fund 41506, CIP-40-910.2, Chollas Valley Trunk Sewer Phase II; and an amount not

to exceed \$470,369 from Sewer Fund 41506, CIP-46-193.0, Annual Allocation - Pooled Contingency;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K02091C)

Subitem-B: (R-2002-1200)

Certifying that Mitigated Negative Declaration LDR-40-0797 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.), as amended, and the State guidelines; and that the information contained in the report has been reviewed and considered by Council;

Approving Mitigated Negative Declaration LDR-40-0797;

Adopting the Mitigation Monitoring and Reporting Program;

Directing the City Clerk to file a Notice of Determination with the Clerk of the Board of Supervisors.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 4/3/2002, NR&C voted 5-0 to approve. (Councilmembers Peters, Wear, Frye, Madaffer and Inzunza voted yea.)

CITY MANAGER SUPPORTING INFORMATION:

Chollas Valley Trunk Sewer was constructed in 1940. This existing 18 and 15-inch trunk sewer begins at the intersection of University Avenue and 60th Street and continues in a southwesterly direction, parallel to University Avenue, across private parcels, to Federal Boulevard. This trunk sewer is currently operating above its design capacity and will not be able to meet future demands. To avoid future spills and meet future capacity, this project proposes to install 3.7 miles of new 24 and 27-inch sewer mains, and to rehabilitate 1.5 miles of existing 18-inch sewer mains.

Every effort was made to avoid environmentally sensitive habitat for the entire trunk sewer alignment. The proposed alignment relocates 8,000 linear feet of sewer main outside of the canyon areas into the paved right-of-way or previously disturbed areas. The successful construction completion of this project will provide the community with a safe and reliable sewer system. Also, this project includes the construction of eleven (11) pedestrian ramps and resurfacing of impacted streets.

During design, this project has been presented to the communities of City Heights and Eastern Area several times. During the construction phase, the contractor will be working between 8:30 a.m. and 3:30 p.m., Monday to Friday. Traffic control plans were prepared to ensure safety in the area.

Residents will be notified by mail at least one month prior to the start of construction by the City's Engineering and Capital Projects Department and 10 days prior to the start of construction by the

contractor by hand distribution. In addition, a monthly newsletter will be distributed to all the residents and business owners within the community to inform them of the status of the project.

FISCAL IMPACT:

The total estimated cost of this project is \$10,965,120. Funds of \$10,955,120 are available in Sewer Fund 41506, CIP-40-910.2, Chollas Valley Trunk Sewer Phase II, for this purpose. This project is scheduled to be phase-funded over FY 2003 and FY 2005.

Loveland/Belock/HR

Aud. Cert. 2200909

WWF-02-582.

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

- * ITEM-102: Inviting Bids and Award of Contract for Telemetry Control Systems-SCADA- Phase II (Contract #5).

(See memorandum from Frank Belock, Jr. dated 2/6/2002.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2002-1206)

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for Telemetry Control Systems - SCADA - Phase IId (Contract #5) on Work Order No. 187145;

Authorizing the City Manager to execute a contract with the lowest responsible bidder;

Authorizing the use of City Forces in an additional amount not to exceed \$400,000, for a total amount not to exceed \$695,000 from Water Fund 41500, CIP-73-348.0, Telemetry Control Systems-SCADA-Phase II;

Authorizing the expenditure of an amount not to exceed \$1,718,000 from Water Fund 41500, CIP-73-348.0, Telemetry Control Systems-SCADA-Phase II, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering

department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-K02078C)

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 2/13/2002, NR&C voted 4-0 to approve. (Councilmembers Peters, Wear, Frye and Madaffer voted yea. Councilmember Inzunza not present.)

CITY MANAGER SUPPORTING INFORMATION:

This is Phase II of a two phase program to install a modern Supervisory Control and Data Acquisition (SCADA) system. The SCADA system will monitor and control all critical water distribution sites. Phase I included the central control and operations components as well as Remote Control Panels (RCPS) at 42 of the water distribution sites. Due to additional work that has been identified, Phase II has been divided into four (4) parts, Phase IIa, IIb, IIc, and IId. Phase IIa includes the installation of RCPs to control 60 additional water distribution sites. Phase IIb includes remediation work at 36 existing sites. Phase IIc includes installation of RCPs at 29 large meter sites, and Phase IId includes installation of RCPs at 62 sites, an operating efficiency assessment, a communication network upgrade, and Intranet functionality for data access. This Council action funds the construction of RCPs for Phase IId. Additional database and application support from San Diego Data Processing Corporation will be required at a cost not to exceed \$750,000. In the near future, one (1) additional contract will be advertised for the installation work of the RCPs for Phase IId.

FISCAL IMPACT:

The total estimated cost of Phase II is \$11,900,000. The estimated cost of this contract is \$1,718,000, of which \$1,718,000 is available in Water Fund 41500, CIP-73-348.0, Telemetry Control Systems - SCADA Phase II. Included in the project cost estimate is \$695,000 for City forces work.

Loveland/Belock/HR

WWF-02-578.

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-103: Sewer Group Job 672 - Exchange of Sewer Easements.

(Uptown Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1367)

Authorizing the City Manager to acquire and accept easement deeds for needed property rights and to execute quitclaim deeds to appropriate property owners for portions of sewer easements being privatized and/or abandoned as part of the construction of Sewer Group Job 672;

Authorizing and approving the expenditure of an amount not to exceed \$14,000 from Sewer Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacements, for labor, title, and other acquisition costs related to Sewer Group Job 672.

CITY MANAGER SUPPORTING INFORMATION:

Sewer Group Job 672 replaces and rehabilitates approximately 5,694 feet of sewer main located in the northwest side of West Washington Street between Ingalls Street and San Diego Avenue. Rehabilitation of this collector line is required due to its deteriorating condition and the construction materials used in the original pipes. Trenching will not be used for rehabilitation of a portion of the line which exists within a canyon area. The rerouting of additional sewer flows away from the canyon done by previous Group Jobs enables the City to re-line the existing mains rather than replacing them via trenching.

Portions of the easements for the lines within Grant Elementary School and those under several commercial buildings along the northwesterly side of West Washington Street are being realigned, and/or privatized and abandoned as part of the project.

This action authorizes the City Manager to execute deeds necessary to abandon portions of the existing easements being realigned or privatized and to accept deeds on behalf of the City for the new easements being acquired. The easement exchanges or abandonments are being done at no cost to either party. The easements being abandoned are of either comparable size or utility to those being acquired, or, by being privatized and abandoned will relieve the City of future maintenance and liability.

FISCAL IMPACT:

Funding in the amount of \$14,000 to cover labor, title insurance and related costs of the easement exchanges is available in Sewer Fund 41506, CIP-44-001.0, Annual Allocation- Sewer Main Replacements.

Herring/Griffith/SAC

Aud. Cert. 2201002.

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-104: College-University Storm Drain - Easement Acquisitions/Abandonments.

(College Area Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1386)

Authorizing the City Manager to accept an easement deed, executed by Samuel M. Ciccati, Trustee, donating to the City a storm drain easement across a portion of Parcel "00" of Lot 19, Rancho Mission of San Diego;

Authorizing the City Manager to accept an easement deed, executed by St. John, LLC, donating to the City a storm drain easement across a portion of Parcel "00" of Lot 19, Rancho Mission of San Diego, and a portion of Lot 61 of College Avenue Tract No. 3;

Authorizing the City Manager to execute a quitclaim deed conveying all the City's right, title and interest in the unneeded easement areas per document recorded November 1, 1951, Book 4279, Page 559 of Official Records, to Samuel M. Ciccati, Trustee;

Authorizing the City Manager to execute a quitclaim deed conveying all the City's right, title and interest in the unneeded easement areas per Map No. 2518 to St. John, LLC.

CITY MANAGER SUPPORTING INFORMATION:

In the Spring of 2000, heavy rainfall caused the subject storm drain system to overflow and flood private properties located at 6104 and 6110 University Avenue, creating hazardous traffic conditions, and health and safety concerns at the drive-through restaurant at one of the addresses.

On the merits of entry permits signed by the two impacted property owners, City work crews completed storm drain improvements which included the removal and realignment of underground piping, and the installation of new inlets with increased capacity. Storm drain easements are now required to coincide with the re-aligned installation, to allow for future maintenance and repair of the drainage facilities.

Approval of the requested actions will allow for the acquisition of the required easements, in exchange for the abandonment and quitclaiming of the unneeded easement portions resulting from the realignment of the drainage improvements. It has been determined that the value of the property rights to be exchanged are equal.

FISCAL IMPACT:

None. The affected property owners have elected to donate the required property rights in exchange for the abandonment of portions of pre-existing easements.

Herring/Griffith/SLG

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

* ITEM-105: Four actions related to Parking Meter Districts.

(See City Manager Report CMR-01-210 and Uptown Partnership, Inc. Information. Downtown, Uptown and Mid-City Community Areas. Districts-2 and 3.)

TODAY'S ACTIONS ARE:

Adoption of the following resolutions:

Subitem-A: (R-2002-1123)

Authorizing the City Manager to negotiate and execute agreements with private non-profit organizations for the expenditure of Parking Meter District 2 (Uptown) and Parking Meter District 3 (Mid-City) funds;

Authorizing the transfer of Parking Meter revenues from Citywide Department No. 601 to Parking Meter District Funds as follows: \$113,844 to Fund No. 70301, \$1,401,006 to Fund No. 70302, \$567,367 to Fund No. 70303, and \$194,675 to Fund No. 70304;

Authorizing the allocation and expenditure of \$1,401,006 for Parking Meter District 1, \$567,367 for Parking Meter District 2, \$194,675 for Parking Meter District 3, and \$113,844 for administrative cost, plus the expenditure of any carryover amount not fully expended under prior contracts for Parking Meter Districts 2 and 3.

Subitem-B: (R-2002-1127)

Authorizing the City Manager to negotiate and execute agreements with Centre City Development for the expenditure of Parking Meter District 1 (Downtown) funds, consistent with the provisions of Council Policy 100-18, the Parking Meter Revenue Allocation and Expenditure Policy; allocating funds for associated administrative costs; and directing the City Manager to administer the contracts with every possible effort undertaken to ensure strict financial oversight.

Subitem-C: (R-2002-1132)

Authorizing the City Manager to negotiate and execute agreements with private, nonprofit organizations for the expenditure of Parking Meter District 2 (Uptown) funds, consistent with the provisions of Council Policy 100-18, the Parking Meter Revenue Allocation and Expenditure Policy; allocating funds for associated administrative costs; and directing the City Manager to administer the contracts with every possible effort undertaken to ensure strict financial oversight.

Subitem-D: (R-2002-1133)

Authorizing the City Manager to negotiate and execute agreements with private, nonprofit organizations for the expenditure of Parking Meter District 3 (Mid-City) funds, consistent with the provisions of Council Policy 100-18, the Parking Meter Revenue Allocation and Expenditure Policy; allocating funds for associated administrative costs; and directing the City Manager to administer the contracts with every possible effort undertaken to ensure strict financial oversight.

**PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S
RECOMMENDATION:**

On 10/10/2001, PS&NS voted 4-0 (Councilmembers Atkins, Stevens, Maienschein and Inzunza voted yea. Councilmember Frye not present) to adopt a resolution authorizing the City Manager to negotiate and enter into agreements with the Centre City Development Corporation, the Uptown Partnership Inc., and the El Cajon Boulevard Business Improvement Association, Inc. for the expenditure of Parking Meter Districts 1, 2 and 3, respectively, and to allocate funds for associated administrative costs.

In addition, PS&NS voted 5-0 (Councilmembers Atkins, Stevens, Maienschein, Frye and Inzunza voted yea) to:

- A) Direct the City Manager to respond to the recommendations of the Parking District Task Force: 1) Instituting a year-end audit and revenue adjustment for these districts; 2) Investigating the issue of pedestrian signal timing and the "Leading Pedestrian Interval" signal systems suggested by the Task Force and directing the City Manager to work with walkability advocates, the Parking Districts, and Americans with Disabilities Act advocates to report back to the Public Safety and Neighborhood Services (PS&NS) Committee with information on how we establish these crossing interval standards; and 3) Expediting certain actions initiated by the Districts, including closure of abandoned curb cuts, restriping of street for parking, and allowing parallel parking "t"s.
- B) Refer to the City Attorney the recommendations of the Task Force regarding the referral of certain appeals to the PS&NS Committee, and respond to the expressed concerns about permitting the City Council to abdicate its responsibility on these matters.

Aud. Cert. 2200764.

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-106: Alley between Broadway, C Street, 41st Street, and 42nd Street.

(Mount Hope Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1369)

Authorizing the City Auditor and Comptroller to reprogram an amount not to exceed \$16,000 from CIP-52-324.0, Alley between K Street, J Street, 35th Street and 36th Street, to CIP-52-323.0, Fund 30300, Alley between Broadway, C Street, 41st Street and 42nd Street;

Authorizing the appropriation and expenditure of an amount not to exceed \$16,000 from CIP-52-323.0, Alley between Broadway, C Street, 41st Street, and 42nd Street for funding the construction, design and related work of the project;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

The Alley between Broadway, C Street, 41st Street, and 42nd Street project paved the alley with concrete. That project and the Alley between K Street, J Street, 35th Street, and 36th Street project were authorized by Council Resolution R-293796 on September 12, 2000, with \$420,000 out of the \$9.1 million State AB 2928 allocation made available as part of the state budgetary process in 2000.

Preliminary estimates resulted in initial allocations of \$100,000 and \$320,000 to the respective projects. An additional \$16,000 to cover final construction, engineering, and administration costs is needed to close out the first (constructed) project. The remaining \$304,000 in CIP-52-324.0 will be adequate to construct the second project.

FISCAL IMPACT:

\$16,000 is available in CIP-52-324.0, Fund 30300.

Loveland/Belock/PB

Aud. Cert. 2200986.

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-107: Mission Valley ATMS /ATIS Project.

(Centre City, Mission Valley and Uptown Community Areas. Districts-2, 3 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1355)

Authorizing the City Manager to accept the Program Supplement No. 11-5004 to Local Agency-State Agreement for Federal Aid Project No. CMLG-5004 (134), for the amount of \$240,000 in Congestion Mitigation and Air Quality Funds, Fund No. 38695, and an additional \$80,000 in Congestion Mitigation and Air Quality Funds, Fund No. 38659 for Federal Aid Project No. CMLG-5004 (045), CIP-63-033.0, Mission Valley ATMS/ATIS;

Authorizing the City Auditor and Comptroller to amend the Fiscal Year 2002 budget by increasing the appropriation in CIP-63-033.0 for the Mission Valley ATMS/ATIS Project by \$320,000;

Authorizing the City Auditor and Comptroller to transfer \$697,500 from CIP-52-522.6, Mission Valley ATMS/ATIS Project of which \$50,000 is from Fund 30300, \$40,000 is from Fund 38672, \$540,000 is from Fund 38956, and \$67,500 is from Fund 38957, to CIP-63-033.0, the Mission Valley ATMS/ATIS Project;

Authorizing the City Auditor and Comptroller to transfer \$55,000 from CIP-52-522.6, Mission Valley ATMS/ATIS Project, Fund 38956, to CIP-63-043.0, the Genesee Avenue Traffic Interconnect Project;

Authorizing the appropriation and expenditure of an amount not to exceed \$240,000 from CIP-63-033.0, Fund 38695, for the design and construction of the Mission Valley ATMS/ATIS Project, contingent upon receipt of a fully executed Program Supplement;

Authorizing the appropriation and expenditure of an amount not to exceed \$80,000 from CIP-63-033.0, Fund 38659, for the construction of the project, contingent upon receipt of a fully executed Program Supplement;

Authorizing the City Manager to execute the First Amendment to the Consultant Agreement with P.B. Farradyn for the Mission Valley ATMS/ATIS Project in the amount of \$67,900 payable from CIP-63-033.0;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves, provided that the City Auditor first furnishes a certificate demonstrating that the funding necessary for the expenditure is, or will be, on deposit in the City Treasury.

CITY MANAGER SUPPORTING INFORMATION:

The City Council has previously approved the Mission Valley Advanced Traffic Management Systems (ATMS) / Advanced Traveler Information Systems (ATIS) Project formerly called the Jack Murphy Stadium (Qualcomm Stadium) Project, which is one of the first Intelligent Transportation Systems (ITS) projects. The City was selected and originally awarded a total of \$1,272,500 to fund design and construction. This total was broken into two parts: Phase 1, for \$575,000, from the Congestion Mitigation and Air Quality (CMAQ) program, and Phase 2 for \$697,500 from the Southern California Intelligent Transportation system "Showcase" project.

During the development of this project, it was discovered that the construction costs are more than the original estimates and additional improvements are necessary beyond the initial scope of work. The City has requested an additional \$320,000 in grant funding for this work. Also, the City desires to modify the original Consultant Agreement to expand the original Scope of Services, and to modify the total compensation to allow for additional work for an amount not to exceed \$67,900 to complete the software design work for the CMS system, and agency coordination for design, focused on the region wide system.

In addition, this action is to combine the two CIP projects into one CIP, accept the additional CMAQ grant funding and appropriate the funds.

FISCAL IMPACT:

The total cost of this project is \$1,592,500 of which \$1,542,500 is reimbursable by Federal and State grants, and \$50,000 is from Fund 30300.

Loveland/Belock/PB

Aud. Cert. 2200967.

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-108: FDNY, The Bravest Football Team Day.

COUNCILMEMBER WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1358)

Proclaiming April 5, 2002 as “New York City Fire Department - The Bravest Football Club Day” in the City of San Diego.

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-109: John Carney Day.

COUNCILMEMBER WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1370)

Honoring John Carney for his outstanding commitment to community service and

proclaiming Monday, April 8, 2002 to be “John Carney Day” in the City of San Diego.

ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:

- * ITEM-110: Gay, Lesbian and Bisexual Veterans of America Day.

COUNCILMEMBER ATKINS' RECOMMENDATION:

Adopt the following resolution:

(R-2002-1413)

Recognizing the Gay, Lesbian and Bisexual Veterans of America for their continued efforts to improve the quality of life for gay, lesbian, bisexual and transgender veterans and to achieve the basic right to serve in the United States Armed Forces;

Proclaiming April 13, 2002 to be “Gay, Lesbian and Bisexual Veterans of America Day” in the City of San Diego.

ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:

- * ITEM-111: Black Contractors Association Day.

DEPUTY MAYOR STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-2002-1373)

Commending the Black Contractors Association on its 20th Anniversary for the many contributions the Association has made to the City of San Diego;

Proclaiming April 27, 2002 to be “Black Contractors Association Day” in the City of San Diego.

ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:

- * ITEM-112: Coach Jim Dietz Day.

COUNCILMEMBER MADAFFER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1405)

Commending Coach Jim Dietz for a brilliant thirty-one year career in coaching young athletes and proclaiming April 28, 2002 to be "Coach Jim Dietz Day" in San Diego, in recognition of an SDSU Baseball legacy.

ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:

- * ITEM-113: Condition Assessment of Sewer Collection System - Advanced Infrastructure System, LLC.

(See Scott Tulloch's 2/6/2002 memo.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2002-1388)

Authorizing the City Manager to execute a phase funded amendment to the agreement with Advanced Infrastructure Systems, LLC, for professional services to perform condition assessment of trunk sewers for a cost not to exceed \$2,873,380 for a two-year fiscal period, together with any reasonably necessary modifications or amendments which do not increase project scope or cost and which the City Manager shall deem necessary from time to time to carry out the purpose and intent of the Condition Assessment of Sewer Collection System project and agreement;

Allocating funding for the two phases as follows: Phase 1 (FY2002) - \$1,450,000; Phase 2 (FY2003) - \$1,423,380, with execution of Phase 2 by the City Manager, contingent upon City Council approval of the Originating Department's operating budget of Fiscal Year 2003;

Authorizing the transfer of an amount not to exceed \$1,460,000 from Sewer Fund 41506, CIP-46-215.0, Annual Allocation - Infrastructure Upgrade and Replacement, to Fund No. 41506, Department 773, Org. No. 820, Job Order No. 8206;

Authorizing the expenditure of an amount not to exceed \$2,873,380 from Sewer Fund 41506, Department 773, Org. No. 820, Job Order No. 8206, for funding the agreement in the following manner:

Phase 1	\$1,450,000 from FY2002 appropriations
Phase 2	\$1,423,380 from FY2003 appropriations, contingent upon the approval of the FY2003 Operating Budget, and provided the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds

necessary for expenditure are, or will be, on deposit in the City Treasury.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 2/13/2002, NR&C voted 4-0 to approve. (Councilmembers Peters, Wear, Frye and Madaffer voted yea. Councilmember Inzunza not present.)

CITY MANAGER SUPPORTING INFORMATION:

On November 5, 2001, the City Manager was authorized by RR-295689 to enter into an agreement with Advanced Infrastructure Systems to televise 106.6 miles of the most critical sewer mains based on ongoing maintenance problems. This request is to amend Advanced Infrastructure Systems' contract for an amount of \$2,873,380, which includes televising approximately 100 additional miles of sewer mains and inspecting over 2,320 manholes. The general locations of the sewer mains that will be televised are Ocean Beach, Oak Park and Paradise Hills.

The City's Metropolitan Wastewater Department (MWWD) is focused on preventing municipal sewerage system spills and minimizing these spills' collective impact on the environment. In an attempt to aggressively identify and repair problem areas in the collection system and to prevent potential sewer spills, 100 additional miles of problem sewer mains have been identified for condition assessment.

Advanced Infrastructure Systems has demonstrated an ability to complete this work on schedule, which results in timely identification of blockages that can cause costly sewer spills. This CCTV inspection data gives City crews the information necessary to remove blockages or repair damage, thereby preventing spills from occurring. Advanced Infrastructure Systems' cost is competitive and comparable to other companies capable of this work.

The Consultant shall also prepare inspection reports to document pipeline condition, structural defects and other pertinent findings. The reports will be instrumental in evaluating the condition of the sewer mains and identifying locations where high priority rehabilitation or replacement is required.

The inspection and report work shall be completed within one hundred twenty (120) workdays from the Notice to Proceed date, pursuant to the terms of the original agreement, for the additional cost not to exceed \$2,873,380. This will increase the total cost of services, including \$3,254,222 for the original agreement, to \$6,127,602.

The implementation of this Amendment will ensure that the MWWD can achieve its objective of reducing sewer spills by evaluating City sewer mains, prioritizing identified replacement and rehabilitation projects and enhancing the quality of the sewerage collection system.

FISCAL IMPACT:

The total cost of this action is \$1,450,000.

Ewell/Tulloch/FS

Aud. Cert. 2200957.

ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:

* ITEM-114: Condition Assessment of Sewer Collection System - Powell/PBS&J, Inc.

(See Scott Tulloch's 2/6/2002 memo.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2002-1387)

Authorizing the City Manager to execute a phase funded Amendment to the Agreement with Powell/PBS&J, Inc. for professional services to perform condition assessment of trunk sewers for a cost not to exceed \$2,907,364 for a two-year fiscal period, together with any reasonably necessary modifications or amendments which do not increase project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of the Condition Assessment of Sewer Collection System project and agreement;

Allocating funding for the two phases as follows: Phase 1 (FY2002) - \$1,450,000; Phase 2 (FY2003) - \$1,457,364 with execution of Phase 2 by the City Manager, contingent upon City Council approval of the Originating Department's operating budget of Fiscal Year 2003;

Authorizing the transfer of an amount not to exceed \$1,450,000 from Sewer Fund 41506, CIP-46-215.0, Annual Allocation - Infrastructure Upgrade and Replacement, to Fund No. 41506, Department 773, Org. No. 820, Job Order No. 8206;

Authorizing the expenditure of an amount not to exceed \$2,907,364 from Sewer Fund 41506, Department 773, Org. No. 820, Job Order No. 8206, for funding the agreement in the following manner:

Phase 1	\$1,450,000 from FY2002 appropriations
Phase 2	\$1,457,364 from FY2003 appropriations, contingent upon the approval of the FY2003 Operating Budget, and provided the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 2/13/2002, NR&C voted 4-0 to approve. (Councilmembers Peters, Wear, Frye and Madaffer voted yea. Councilmember Inzunza not present.)

CITY MANAGER SUPPORTING INFORMATION:

On November 26, 2001, City Manager was authorized by RR-295780 to enter into an agreement with Powell/PBS&J, Inc. to televise 107.4 miles of the most critical sewer mains based on ongoing maintenance problems. This request is to amend Powell/PBS&J, Inc.'s contract for an amount of \$2,907,364, which includes televising approximately 100 additional miles of sewer mains and inspecting over 2,310 manholes. The general locations of the sewer mains that will be televised are La Jolla, Clairemont, Mission Bay and North Park.

The City's Metropolitan Wastewater Department (MWWD) is focused on preventing municipal sewerage system spills and minimizing these spills' collective impact on the environment. In an attempt to aggressively identify and repair problem areas in the collection system and to prevent potential sewer spills, 100 additional miles of problem mains have been identified for condition assessment. Powell/PBS&J, Inc. has demonstrated an ability to complete this work on schedule, which results in timely identification of blockages that can cause costly sewer spills.

This CCTV inspection data gives City crews the information necessary to remove blockages or repair damage, thereby preventing spills from occurring. Powell/PBS&J, Inc.'s cost is competitive and comparable to other companies capable of this work.

The Consultant shall also prepare inspection reports to document pipeline condition, structural defects and other pertinent findings. The reports will be instrumental in evaluating the condition of the sewer mains and identifying locations where high priority rehabilitation or replacement is required.

The inspection and report work shall be completed within one hundred twenty (120) workdays from the Notice to Proceed date, pursuant to the terms of the original agreement, for the additional cost not to exceed \$2,907,364. This will increase the total cost of services, including \$3,226,126 for the original agreement, to \$6,133,490. The implementation of this amendment will ensure that the MWWD can achieve its objective of reducing sewer spills by evaluating City sewer mains, prioritizing identified replacement and rehabilitation projects and enhancing the quality of the sewerage collection system.

FISCAL IMPACT:

The total cost of this action is \$1,450,000.

Ewell/Tulloch/DG

Aud. Cert. 2200958.

ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:

* ITEM-115: Consultant Agreement for Otay Nestor Branch Library Expansion.

(Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1383)

Authorizing the City Manager to execute a design agreement with Safdie Rabines Architects, for the design of CIP-35-087.0, Otay Nestor Branch Library;

Authorizing the expenditure of an amount not to exceed \$343,980 from CIP-35-087.0, Otay Nestor Branch Library, Fund No. 30244, Dept. No. 30244;

Authorizing the City Auditor and Comptroller to return any excess budgeted funds to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

The proposed agreement with Safdie Rabines Architects will provide for the professional services for the design and construction of Otay Nestor Branch Library. This project includes a 5,000 sq. ft expansion to the existing 10,000 sq. ft branch library, located at Coronado and Beyer Boulevard, to provide more space to serve a growing community. The plan expansion will include a computer Lab; large meeting room; seminar rooms and restrooms. In addition, roofing and HVAC systems repair and improvements of the existing building are required.

The proposed consultant was selected in accordance with Council Policy 300-7. Five (5) firms were interviewed by the Library and Engineering & Capital Projects Departments, and Safdie Rabines Architects was selected as the best qualified firm to provide the design services for this project.

FISCAL IMPACT:

The consultant's compensation for basic design services authorized by the agreement is \$303,980. An additional \$40,000 is provided for reimbursable and additional work as requested by the City for total agreement cost of \$343,980. Funds are available in CIP-35-087.0, Fund No. 30244, Dept. No. 30244, Otay Nestor Branch Library. The total estimated cost for design and construction is \$3,000,000.

Loveland/Belock/AO

Aud. Cert. 2200997.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

* ITEM-116: First Amendment to Consultant Agreement for Sewer Pump Station 62.

(See Frank Belock, Jr.'s 3/25/2002 memo. Rancho Peñasquitos Community Area. District-1.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2002-1372)

Authorizing the City Manager to execute a first amendment to the agreement with Metcalf and Eddy, Inc. for additional services for Sewer Pump Station 62, at a cost not to exceed \$265,740;

Authorizing the expenditure of an amount not to exceed \$265,740 from Sewer Fund 41506, CIP-46-106.0, Annual Allocation - Sewer Pump Restorations.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 4/3/2002, NR&C voted 5-0 to approve. (Councilmembers Peters, Wear, Frye, Madaffer and Inzunza voted yea.)

CITY MANAGER SUPPORTING INFORMATION:

Council authorized an agreement with Metcalf and Eddy, Inc., on June 19, 2001, Council Resolution R-295059, for the rehabilitation and upgrade of Sewer Pump Station 62, a facility located at 15500 Paymogo Street in the Rancho Peñasquitos Community Planning Area. The pump station was built in 1972 and upgraded in 1988 and needs to be upgraded to current design and safety standards. The authorized agreement includes the upgrade of the electrical system, installation of new pumps/piping/mechanical/odor control, installation of a 4,370-foot force main to serve as emergency back-up to the existing force main, and the installation of an emergency underground storage tank.

During the pre-design phase, the design consultant conducted investigations of the pump station and its site. Investigations included: site inspections, review of City as-built and easement records, and geotechnical investigations. The findings noted that the space available for development within the existing easement is very limited, and the site soils are comprised of varying depths of fill, a situation not stable for standard slab foundations. The installations of a new underground storage tank adjacent to the existing pump station would require costly shoring methods and foundation piles, or a similar type of support structure, because of the underlying fill material.

It was then determined that the construction of a new pump station with an integrated underground

emergency storage tank would cost the same amount as constructing the planned pump station rehabilitation with construction of a separate emergency underground storage tank. Therefore, City staff recommends constructing a new station. Not only would a new station be more reliable, but by integrating the underground emergency storage tank, less land acquisition would be required, thereby reducing environmental impacts. Although only the project investigation has been completed to date, the design of a new sewer pump station will include more civil, mechanical, and electrical details, and the addition of architectural, landscaping, and demolition plans to be completed by the consultant.

FISCAL IMPACT:

The total estimated cost of this agreement is \$497,066. Of this amount, \$231,326 was previously authorized by Council Resolution R-295059. The estimated cost for this amendment, the cost difference, is \$265,740. Funding of \$100,000 is available in Sewer Fund 41506, CIP-46-603.5, Sewer Pump Station 62, and \$165,740 in Sewer Fund 41506, CIP-46-106.0, Annual Allocation - Sewer Pump Station Restorations.

Loveland/Belock/HR

Aud. Cert. 2200983.

WWF-02-585.

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-117: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(District-8.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2002-1403)

Declaring a Continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

- * ITEM-118: Declaring a Continued State of Emergency Due to Economic Circumstances in the San Diego-Tijuana Border Region.

(District-8.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2002-904)

Declaring a Continued State of Emergency due to economic circumstances in the San Diego-Tijuana border region.

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

- * ITEM-119: Declaring a Continued Local Health Emergency Due to the Spread of the Hepatitis C Virus and the Human Immunodeficiency Virus (HIV).

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2002-1390)

Declaring a Continued Local Health Emergency due to the spread of the Hepatitis C Virus and the Human Immunodeficiency Virus (HIV) for the purpose of implementing a one-year clean needle and syringe exchange program.

CITY MANAGER'S SUPPORTING INFORMATION:

California Health and Safety Code section 11364.7 (effective January 1, 2000) acknowledges the public health threat posed by the sharing of needles and syringes by injection drug users. The Code requires a local jurisdiction to declare a local emergency due to the existence of a critical local public health crisis in order to establish a clean needle and syringe exchange program. In order to permit development and implementation of a pilot clean needle and syringe exchange program, today's action continues the state of emergency first declared by the City Council on November 27, 2001.

**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:**

ITEM-200: Two actions related to Water Rate Increases.

(See City Manager Report CMR-02-081.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2002-1237)

Authorizing the City Manager to increase Water Service Charges by 6 percent annually for five consecutive years, beginning on July 1, 2002, with the increase applied equally to the Customer Charge per meter and to the Commodity Charge for all customers.

Subitem-B: (R-2002-1238)

Directing the City Manager to proceed with the preparation of documents necessary to issue Water Revenue Bonds;

Authorizing the City Manager to negotiate and execute all documents necessary to issue Water Revenue Bonds.

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-250: SUBMISSION OF BALLOT PROPOSALS

City Council Policy 000-21 establishes the procedure for submittal of ballot proposals. The Council Policy states that members of the public shall submit proposals to the City Clerk, who then shall transmit them promptly to the Rules Committee for review and comment. The proposals must be submitted in time to allow the City Clerk to list on the Council Docket 127 days prior to the election the ballot proposals which have been referred back to Council following Rules Committee review.

Therefore, the City Clerk's Office has established the following administrative guidelines for the November 5, 2002 election:

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Friday	5/24/02	165	LAST DATE (10:00 a.m.) for public to submit ballot proposals to City Clerk for review by Rules Committee
Wednesday	6/5/02	153	Rules Committee review of ballot proposals
Monday	6/17/02	141	Council Docket (PUBLIC NOTICE) lists proposals referred by Rules Committee
Monday	6/24/02	134	Council adopts propositions for ballot; directs City Attorney to prepare ordinances
Monday	through 7/22/02	to 106	
Monday	7/29/02	99	Council adopts ordinances prepared by City Attorney
Friday	8/09/02	88	Last day for City Clerk to file with Registrar of Voters all elections material
Thursday	8/22/02	75	Last day to file ballot arguments with City Clerk

If you have any questions, please contact the Office of the City Clerk, 533-4025.

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-251: Notice of Completion and Acceptance of Subdivision Improvement Agreement.

Notice is hereby given that the City Manager of the City of San Diego intends to file a "Notice of Completion and Acceptance of Subdivision Improvement Agreement" indicating that the improvements included in the Subdivision Improvement Agreement have been satisfactorily completed for the following subdivisions:

SUBDIVISION

Regents Townhomes
Torrey Hills Unit No. 15

COMMUNITY AREA

University
Sorrento Hills

The certification shall be recorded 15 days after the date this notice appears on the Council Docket or shortly thereafter. If any person wishes to object to the filing of this notice, such person should communicate the objection on or before that date to the Director or Planning and Development Review or to the Subdivision Engineer, City Operations Building, 1222 First Avenue (MS 507), San Diego, CA 92101.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT